

3738
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PATENT
Customer No. 22,852
Attorney Docket No. 08442.0002.04000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Joseph C. CAUTHEN) Group Art Unit: 3738
Application No.: 10/085,040) Examiner: U. Chattopadhyay
Filed: March 1, 2002) Confirmation No.: 8078
For: INTERVERTEBRAL DISC)
ANNULUS STENT)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and applicant determines

that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

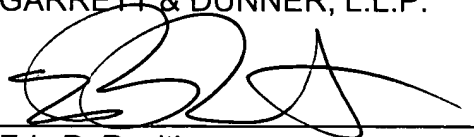
Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

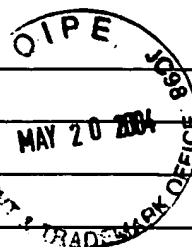
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: May 20, 2004

By: 
Eric P. Raciti
Reg. No. 41,475

INFORMATION DISCLOSURE CITATION



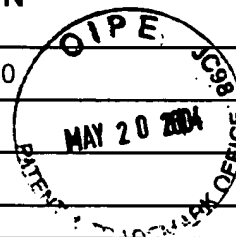
Atty. Docket No.	08442.0002-04	Appln. No.	10/085,040
Applicant	Joseph C. CAUTHEN		
Filing Date	March 1, 2002	Group:	3738

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	4,741,330	5/3/1988	Hayhurst			
	4,852,568	8/1/1969	Kensey			
	4,873,976	10/17/1989	Schreiber			
	4,890,612	1/2/1990	Kensey			
	5,021,059	6/4/1991	Kensey et al.			
	5,061,274	10/29/1991	Kensey			
	5,171,278	12/15/1992	Pisharodi			
	5,258,000	11/21/1993	Gianturco			
	5,269,783	12/14/1993	Sander			
	5,320,633	6/14/1994	Allen et al.			
	5,342,393	8/30/1994	Stack			
	5,356,432	10/18/1994	Rutkow et al.			
	5,366,460	11/22/1994	Eberbach			
	5,368,602	11/29/1994	de la Torre			
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	5,397,991	3/14/1995	Himpens et al.			
	5,500,000	3/19/1996	Feagin et al.			
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	5,531,759	7/2/1996	Kensey et al.			
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	5,634,944	6/3/1997	Magram			
	5,645,597	7/8/1997	Krapiva			
	5,662,681	9/2/1997	Nash et al.			
	5,681,310	10/28/1997	Yuan et al.			
	5,702,454	12/30/1997	Baumgartner			

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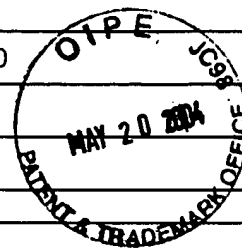


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Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	5,716,416	2/10/1998	Lin			
	5,733,337	3/31/1998	Carr, Jr. et al.			
	5,766,246	6/16/1998	Mulhauser et al.			
	5,782,844	7/21/1998	Yoon et al.			
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	5,827,298	10/27/1998	Hart et al.			
	5,879,366	3/9/1999	Shaw et al.			
	5,904,703	5/18/1999	Gilson			
	5,916,225	6/29/1999	Kugel et al.			
	5,928,284	7/27/1999	Mehdizadeh			
	5,935,147	8/10/1999	Kensey et al.			
	5,954,767	9/21/1999	Pajotin et al.			
	5,972,022	10/26/1999	Huxel			
	5,976,174	11/2/1999	Ruiz			
	5,976,186	11/2/1999	Bao, Higham			
	6,066,776	5/23/2000	Goodwin et al.			
	6,140,452	10/31/2000	Felt et al.			
	6,171,318	1/9/2001	Kugel et al.			
	6,280,453	8/28/2001	Kugel et al.			
	6,452,924	7/30/2002	Rousseau			
	6,428,576	8/6/2002	Haldimann			
	6,447,531	9/10/2002	Amplatz			
	6,508,828	1/21/2003	Akerfeldt et al.			
	6,530,933	3/11/2003	Yeung et al.			

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FOREIGN PATENT DOCUMENTS						
	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	95/31946	11/30/1995	WO			
	97/20874	6/12/1997	WO			
	99/02108	1/21/1999	WO			
	01/28464	4/26/2001	WO			
	02/17825	3/7/2002	WO			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	

Examiner	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce